

REMARKS

I. Summary of Office Action

Claims 1-46 and 75-117 were pending in this application.

Claims 133-136 have been added. No new matter is introduced by the addition of these claims.

The Examiner rejected claims 1, 2, 6, 24, 25, 29, and 75 under 35 U.S.C. § 102 as being anticipated by Hendricks et al. U.S. Patent No. 5,734,853 (hereinafter "Hendricks").

Claims 1-5, 12-15, 18, 20-28, 35-38, 41, 43-46, 75-77, 85, 86, 89, 91-99, 106-109, 112, and 114-117 are rejected under 35 U.S.C. § 103(a) as being unpatenatable over Carr et al. U.S. Patent 6,209,129 (hereinafter "Carr") in view of Klosterman et al. U.S. Patent 5,940,073 (hereinafter "Klosterman").

Claims 6-8, 10, 29-31, 33, 78-80, 82, 100-102, and 104 are rejected under 35 U.S.C. § 103(a) as being unpatenatable over Carr in view of Klosterman, and further in view of Berezowski et al. U.S. Patent 6,075,551 (hereinafter "Berezowski").

Claims 9, 11, 32, 34, 81, 83, 103, and 105 are rejected under 35 U.S.C. § 103(a) as being unpatenatable over Carr in view of Klosterman, and further in view of Chen et al. U.S. Patent 5,917,830 (hereinafter "Chen").

Claims 19, 42, 90, and 113 are rejected under 35 U.S.C. § 103(a) as being unpatenatable over Carr in view of Klosterman, and further in view of Klosterman et al. U.S. Patent 6,078,348 (hereinafter "the '348 patent").

Claims 16, 39, 87, and 110 are rejected under 35 U.S.C. § 103(a) as being unpatenatable over Carr in view of Klosterman, and further in view of Kikinis U.S. Patent 5,929,849 (hereinafter "Kikinis").

Claims 17, 40, 88, and 111 are rejected under 35 U.S.C. § 103(a) as being unpatenatable over Carr in view of Klosterman, and further in view of Kikinis and Berezowski et al. U.S. 6,064,376 (hereinafter "the '376 patent").

## II. Summary of Examiner Interview

The Examiner, Andrew Faile (the Examiner's supervisor), and applicants' representatives conducted an in-person interview on December 17, 2003. Applicants and applicants' representatives wish to thank the Examiner and Andrew Faile for the courtesies extended during the interview. Details of the interview will appear in the discussion below where appropriate.

### A. The Hendricks Reference

A tentative agreement was reached that the Hendricks reference was improperly used to support an anticipation rejection. The Examiner indicated that the

Hendricks reference will be reconsidered in view of the discussion as a matter of course to finalize the agreement.

B. The Carr and Klosterman Combination

Applicants note with appreciation that the rejection using Carr and Klosterman was withdrawn, as evidenced by the December 17, 2003 Interview Summary.

Accordingly, each of the rejections using the Carr and Klosterman are also withdrawn.

C. Proposed Claim Amendments

An agreement was reached that applicants would prepare amendments, such as those amendments provided in this paper, to overcome the prior art of record. Applicants' representatives and the Examiner discussed amendments similar to those shown in this paper and it was tentatively agreed that such amendments were patentable over the prior art of record, pending subsequent review and reconsideration.

III. Amendment to the Claims

Applicants have amended independent claims 1, 24, 75, and 95 to more particularly define the invention. In particular, applicants have amended claims 1, 24, 75, and 95 to specify a main facility that provides a data stream. Claims 1, 24, 75, and 95 have also been amended to specify a

distribution facility that receives the data stream, inserts local advertisements into the data stream, and distributes the local advertisements to user television equipment, wherein the local advertisements are specific to a particular geographic region.

Applicants respectfully request that the Examiner consider amended independent claims 1, 24, 75, and 95.

#### IV. New Claims

Applicants have added new claims 133-136 to define another feature related to displaying local advertisements with an interactive television program guide. Claims 133-136 are directed to systems, a method, and a machine readable medium in which local and global advertisements are distributed to user television equipment on which an interactive television program guide is implemented. Claims 133-136 specify distributing global and local advertisements to the user television equipment, wherein the local advertisements are specific to a particular geographic region. The interactive television program guide is used to display the global advertisements. The claims further specify receiving a user selection of the global advertisements. The claims also specify displaying a local advertisement that corresponds to the global advertisement selected by the user in response to receiving the user selection.

Claims 133-136 are based on dependent claims (16, 39, 87, and 110) that were rejected under § 103 as being unpatentable over Carr in view of Klosterman, and in further view of Kikinis. Applicants respectfully submit that claims 133-136 are allowable for at least those reasons that the rejection of dependent claims 16, 39, 87, and 110 was withdrawn.

Applicants respectfully request consideration of claims 133-136.

V. Conclusion

Applicants respectfully submit that claims 1-46, 75-117, 133-136 are allowable. This application is therefore in condition for allowance. Reconsideration and allowance are accordingly respectfully requested.

Respectfully submitted,



Alexander Shvarts  
Registration No. 47,943  
Agent for Applicants  
FISH & NEAVE  
Customer No. 1473  
1251 Avenue of the Americas  
New York, New York 10020  
Tel.: (212) 596-9000